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MAR 25 2004

OFFICE OF PETITIONS

In re Application of
Brown, Van H.
Application No. 10/661,201
Filed: November 12, 2003
For: Pet Chew Toy

Three
Week
Letter

A petition for access under 37 CFR 1.14(j) (now 1.14(h)) was filed by Michael Brooks on behalf of Christopher Alan Weinberg for identification of and access to the above-identified application on February 27, 2004.

The petition was not filed with proof of service upon applicant. Accordingly, a copy of the petition papers filed October 27, 2004 is enclosed.

A member of the public may be entitled to access if "special circumstances" are shown which warrant a grant of access under 35 U.S.C. § 122. See Manual of Patent Examining Procedure (MPEP), Section 103.

The above referenced application claims priority to provisional application no. 60/410,098. Petitioner was named as an inventor in the '098 provisional application. Petitioner states that special circumstances exist in that he is at least an owner of the subject matter in a predecessor provisional application if not an inventor who should have been named in the above-identified application. As result of his ownership/inventorship of the '098 application he needs access to the above referenced application to ascertain his rights.

Applicants are hereby given THREE WEEKS from the date of this letter to file a response to this letter. If applicants fail to respond within the three week period, petitioner may be allowed access to the entire application. See MPEP Section 103.

Any correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia

By FAX: (703) 872-9306
Attn: Office Patent Legal Administration/Michael L. Lewis

Telephone inquiries should be directed to Michael L. Lewis at (703) 306-5585.

Son Michael L. Lewis
Karin Ferriter
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

Attachment: Petition for access